

FILED

JUN 17 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION
15

16
17 UNITED STATES OF AMERICA,)

18 Plaintiff,)

19 v.)

20 ARIANNA ARIAS,)

21 Defendant.)
22

CR No.: 05-00301-MAG

STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME

23 On June 9, 2005, the parties in this case appeared before the Court for a status hearing. At
24 that time, the parties stipulated that time should be excluded from the Speedy Trial Act
25 calculations from June 9, 2005 to June 27, 2005 for continuity of counsel and for effective
26 preparation of defense counsel. The parties represented that granting the continuance was the
27 reasonable time necessary for continuity of defense counsel and effective preparation of defense
28 counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).

Stipulation and [Proposed] Order
[CR 05-00301 MAG]

1 The parties also agreed that the ends of justice served by granting such a continuance outweighed
2 the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. §
3 3161(h)(8)(A).

4 SO STIPULATED:

5 KEVIN V. RYAN
6 United States Attorney

7 DATED: 6/9/05

8 /S/ Denee DiLuigi
9 DENEE A. DILUIGI
10 Special Assistant United States Attorney


11 DATED: 6/13/05

12 /S/ Elizabeth Falk
13 ELIZABETH FALK
14 Attorney for Ms. Arias

15 As the Court found on June 9, 2005, and for the reasons stated above, the Court finds that an
16 exclusion of time between June 9, 2005 and June 27, 2005 is warranted and that the ends of
17 justice served by the continuance outweigh the best interests of the public and the defendant in a
18 speedy trial. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance
19 would deny Ms. Arias continuity of counsel and would deny defense counsel the reasonable time
20 necessary for effective preparation, taking into account the exercise of due diligence, and would
21 result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

22 SO ORDERED.

23 DATED: 6-17-05

24 
25 MARIA ELENA JAMES
26 United States Magistrate Judge
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